

Boulevard Planning Group  
Minutes/Summary, July 7, 2011  
Boulevard Fire and Rescue Inc. Training Room, 39919 Highway 94/Ribbonwood

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1. **Call to Order:** 7:21 PM

2. **Determination of Quorum/Roll Call:**

Members Present: Tammy Daubach, Jeffrey McKernan, Chris Noland, Patricia Stuart, Audra Hall, Donna Tisdale(Chair).

Members Absent: Rett Lawrence (excused-injured leg).

3. **Approval of Minutes:**

*Motion/Second: Jeff McKernan/ Tammy Daubach-Minutes approved with changes- east to west McCain Valley Road, 5<sup>th</sup> bullet: change CPV Modules reference from inches to feet; G. Rough Acres, 5<sup>th</sup> bullet missing the word "want" –*

*Motion/Second – Jeff McKernan/Tammy Daubach (Noland abstained because--late arrival June meeting) Passed (5-0-0)(Noland arrived after vote)*

4. **Correspondence:**

A. No Correspondence this month, other than what is on the agenda.

5. **New Business:**

A. **Tule Wind LLC's Proposed Plan Amendment Authorization (PPA) and Proposed Amendment to the Zoning Ordinance for Wind Energy; Case #3801-11-001; P09-019; PAA11-001:**

- The Chair stated that much of what Tule Wind is asking to be amended is part of the current General Plan and that may be voided by the adoption of the new plan possibly on August 3<sup>rd</sup>. The existing wind energy ordinance will also be replaced by the new wind energy ordinance which will change the noise issues as well.
- The Chair presented a draft list of comments to be attached to these minutes for the record.
- Harley McDonald for Iberdrola– They have two different general plan amendments and two different zoning amendments. If the county adopts the new general plan in August then the amendments will not be needed, but the county has been trying to change the general plan for quite a while so they are not counting on it.
- They are asking to amend policy 18 for a segment of their transmission line and some of their access roads. Policy 18 states that it is not intended that any development occur unless the proposed development be carefully examined. They are arguing that the EIR did examine their project and that should be enough.
- The second is for policy 11 – Land cannot be used for commercial or industrial development for any of the following reasons; safety to the general public, unmitigated visual impact, noise pollution, and economic devaluation. They have stated in their letter to the county that they believe they are in compliance with the sub regional plan in that they do not affect any of the previously mentioned items.
- The two zoning ordinances that they are asking for relate to set back and height. The height currently is a maximum of 80 feet that was put into place prior to the modern wind energy development and needs to be changed. They are asking the setbacks to be amended to 131 % of turbine height setback from public roads, from the base of the turbine in the ground to the tip of the blade when it is in the 12 o'clock position. It would be 101% of the turbine height to the setback of a public road, 101% of the height setback to a non-participating property line and 101% of the height of the blade setback from a participating property. They also request that turbines be setback from existing residences or buildings being used for civic use at 4 times the height of the turbine. RESPONSE S included need for much larger setback requirements.
- If the general plan is accepted the two plan amendments will not be necessary but the zoning ordinance application will still stand. If the county also passes the Mountain Empire sub regional plan at the same time as the general plan they have asked for changes to the text in the sub regional plan. Those four areas are: Policies LU 1.1.1 (prohibiting industrial development that induces growth and detracts from or degrades air, water, visual, wildlife, historic resources); 1.2.2 (requiring industrial energy development to maintain a rural bulk and scale); 6.1.4 (prohibiting industrial development with immitigable impacts), and 8.5.1 (prohibit development from alternating natural drainage ).

- Board & Public comment - Concerns and opposition were expressed over Iberdrola's requests and lobbying to open our rural community up to industrial development; current setback requirement is 8 times the turbine height that could equal 8 x 500' or 4,500 feet, need for setbacks of 2-3 miles or more as recommended by various professionals working with impacted communities, concern over adverse impacts to people and wildlife, homes, property values, views, increased night and strobe lighting, shadow flicker, noise and other effects that are already being experienced by those impacted by Kumeyaay Wind turbines. Residents complained companies DO NOT hire local, despite claims that they do. Iberdrola was questioned why they oppose property value protection agreements if they believe, as stated, that there will be No DEVALUATION of property, despite contrary reports from professional appraisers.
- McKernan stated that Draft EIS is not the Final or certified Record of Decision documents, so Iberdrola cannot base the environmental impacts on the draft EIR.
- There will be challenges to this project.
- Harley stated that the FAA has issued a determination of no hazard for their project, but **admitted that their FAA determination did not include all the cumulative projects.**
- Jeff McKernan asked Iberdrola for an avian and bat mortality report to be released to the board.
- Harley stated that she would put in the request.
- Jeff also asked why would Iberdrola chose not to release these reports when they claim their reports prove that these projects are not harmful to the environment or wildlife.
- Jeff requested that the total turbine height (in feet) be added to the comments to show the full height including the minimum to maximum blade lengths.
- Jeff asked Harley about the one or two turbines sites that are relatively close to the SDG&E proposed Sunrise Powerlink transmission line route and that Iberdrola's turbine locations are not a safe setback from those 500kV lines.
- Add formal request for the avian and bat mortality rate at existing projects to the comment letter.

***Action: Board voted to oppose all of Iberdrola's requests (for amendments to plans and ordinances), and grant permission for the Chair to draft and submit a formal response to the County by July 12. M/S: McKernan / Hall : 6-0-0:***

**B. & 6 I. ) Rough Acres Ranch Campground MUP Pre-Application; Updated Preliminary Draft Conditions; Case #3992-11-002; McCain Valley Road; APN 611-070-01 & 03 and 611-060-03; Kiva Project; 11-0138043:**

- Update – Consultant Jim Whalen reported that they are trying to coordinate to make sure that none of their projects overlap.
- They have an August 14<sup>th</sup> submittal date for the Rough Acres Major Use Permit and he feels that it will be difficult for them to meet that date because they are missing some technical studies.
- They did promise that they would bring a composite drawing but it is not done yet because the Soitec part is not done yet. They hope to have them in August.
- The studies that not completed yet are – biological resources, cultural, and water.
- Chair Tisdale stated that we should wait for the official documents to come out to address what is being proposed.
- ***Jim Whalen's # (619) 683-5544 if there are any additional questions and we are here every month.***

**C. County Request for Boulevard List of Needs/Potential Mitigation for Multiple Project Impacts: (Donna to attach the list to these minutes)**

- A revised draft was provided of a previous list of needs/potential mitigation project impacts.
- The following issues were added:
- Funding for the propagation of oak and pine trees.
- Rural Transportation Improvements -add days, handicap access without having to call ahead and to reduce costs.
- Reduce light pollution-replace lights with shielded lights to cut down on impact to night sky for dark sky protection.
- Mitigate wind turbine flicker effect.
- mitigate increased fire insurance rates or loss of fire insurance due to increased risk from industrial energy projects transmission infrastructure projects.
- Funding for impacts to public/private roads and ongoing repairs/maintenance.
- Funding for project related / generated adverse health effects and related studies and mitigation.
- Funding for Fire Safe council, CERT, Red Cross and Radio Auxiliary Communication Emergency Services.

- Wildlife mitigation and purchase of land should serve the impacted population not a population far away.

**Action: Board voted to adopt revised list of needs/potential mitigation list for the county.**

**Motion/Second – Nolan/McKernan Passed 6-0-0**

**D. Boulevard Planning Area Revision:**

- Planning Board request that County consider updating the Boulevard Planning Area to include McCain Valley BLM private in-holding properties that are only accessible through Boulevard, and all of Miller Valley that is currently split between Boulevard and Campo Planning Areas and is also only accessible is through the Boulevard Planning Area's McCain Valley Road and Miller Valley Road.

**Action: Motion to allow chair to draft a letter make a preliminary request to be sent to the county to include all of Miller Valley and incorporation of private in-holdings in McCain Valley that are only accessible through Boulevard Planning Area . Motion/ Second – McKernan/ Daubach: Passed 6-0-0**

**6. Updates and Potential Action Items:**

**A. SDG&E Community Update:**

- Chair relayed a property owners report that SDG&E work caused a reported \$90k in damage to a private bridge that is now a legal matter. Family has had access problems for months. SDG&E reportedly cannot repair due to nesting season.
- Cameron Durckel – They expect the final EC substation EIR/EIS to be pushed to August. The major hold up is various agencies such as the avian plan/environmental impacts. They are looking at the final route on the 138 kV line and looking at partial undergrounding that is one of the options in the draft.
- There are also cultural and other impacts.
- Sunbird tower drop Incidents: Some Sunrise towers were dropped from helicopter in the Imperial area.
- That Sunbird has been taken out of service and sent to Oregon where Erickson has their facility.
- A replacement air crane is currently doing the lifting after being approved by all the appropriate agencies.
- On June 7<sup>th</sup> the tower was dropped 250 feet and then on June 10<sup>th</sup> another incident where 3 hooks released without being triggered.
- The first they thought it was caused by a short, did some fixes and did some towers successfully but then they had the 3 hooks incident happen with the same one.
- They were able to lower to the ground with one hook. 30 of the 400 lattice towers have currently been constructed.
- They have investigated the report of an eagle strike and working with the PUC. They have not found anything with the flight reports, inspectors etc. there has been no evidence of any eagle strikes. Nesting season holding things up.
- Donna asked about repeated reports of bad concrete mixtures. Cameron commented on the process of testing the integrity and stated that he would look into any reports of concrete issues. 100 inspectors on job at any one time.
- Donna also asked if the inspection reports were available. Cameron stated that he would ask and see what is public.
- Tammy asked how these towers are grounded for lightning protection.
- Cameron stated that he would check to see how they are grounded.
- Andy DeGroot complained again about lack of jobs for locals, out of state workers used on these projects, Union involvement and Project Labor Agreements leave non-union locals without jobs.
- Cameron said the out of state specialists are needed.
- Jeff M. asked if SDG&E responded to Billy Blanchard's letter that was provided to the PUC on helicopters that they were using. All replacements have been approved, they self-reported the incidents
- Donna asked about new SDG&E ROW requests to local property owners.
- She sent an e-mail to SDG&E requesting information in regards to their realty folks contacting property owners for a new easement next to an old Mtn Empire Coop easement line, and property purchase for new substation and switchyard
- She is afraid that this will be expanded to benefit the Shu'Luuk Wind where SDG&E is a partner.
- Is this going to be open to public comment and if so when?
- Yes, it will be open to public comment when they file for the gen-tie. New 138 kV line needs 100' Easement
- Cameron stated that the larger and taller steel poles are a separate project for fire hardening and not part of this project.
- That is also a line that will be useful down the road but will have to still go through the PUC process.

- Tisdale stated that Ivenenergy's Shu'Luuk Wind has no eminent domain rights however, there are concerns that SDG&E will go forward with eminent domain for that ROW despite the obvious conflict of interest.
- Ocotillo Wind – he will have to look into the reason the PUC is not a cooperating agency for the new SDG&E substation.
- Durckel responded that purchase of property by SDG&E on old highway 80/Crestwood may be for Shu'luuk ROW easement.
- Donna states it is reported to be for a new Shu'luuk Wind substation or switchyard.
- **Durckel said that they are looking down the road and that they have bought properties they ended up not using before but they have to create the pathway and they already know how they are going to do things before starting the official process.**
- Public comment – Sky Cranes dropped tower sections when the wind was 55 miles per hour with gusts of 60 MPG, and that Cal Fire won't even fly during those days. Mr. Durckel stated that the wind would not affect the hooks.
- Rough Acres Ranch neighbor Linda Shannon complained of low-flying helicopters harassing nesting hawks on her property
- Tisdale asked again for the promised map of the Boulevard area circuit numbers and pole numbers, in order to help report problems, or in relation to proposed projects.
- Durckel again promised to get that information for us.
- What do the paint and different numbers mean? Mr. Durckel said that he would check on the meanings.
- Smart Meter questions - Durckel promised will bring brochures.
- Public comments- It was stated that one the gentlemen installing a meter, and GPS'ing it, did not know how it works.
- There was a general consensus that after the Smart Meters were installed, bills went up immediately.
- Durckel stated that they can have someone check it, it could be that it is just before the summer heat, or there is a difference in the old mechanical slower meter.
- The Group asked for stats on how many meters were installed and how many people called to complain that their bill went up.
- Durckel said he will check into that.
- In the future they can control the Smart Meters from their office and not have a meter reader come out, and that will mean less employees on their end.
- They do not have SDG&E employees installing Smart Meters, they have an outside contractor and he said that it was directive by the state.
- Mr. Durckel stated that all employees who were meter readers have been absorbed into the company in different areas.
- Tisdale stated that she thought SDG&E had applied for \$3.5 billion in rate increases to pay for the Smart Grid.
- How many rate recovery applications does SDG&E have with the CPUC now?
- Mr. Durckel said that he would bring that information as well as links to track that information.
- Tisdale stated that she thought SDG&E gets a guaranteed 12-13% rate of return on infrastructure.
- Durckel seemed to confirm this.
- How many properties has SDG&E purchased this year in Boulevard?
- Durckel said he will find out that information.

**B. Campo Nation/Invenenergy's \$300-\$500 Million 160-250 Mega Watt Shu'Luuk Wind Project:**

- Public Scoping Comments closed on July 5<sup>th</sup>: A petition was submitted with 210 signatures, 8 came in later, and there were numerous letters that went in documenting golden eagles in the Tierra Del Sol area near the Campo Reservation.
- The Chair encouraged everyone to take photos and keep logs of wildlife for documentation
- At the hearings Invenenergy, had their papers out describing their project.
- One of these descriptions was aesthetics; aesthetics are often a matter of taste and subjective opinion. Being visible is not necessarily the same as being intrusive; turbines are often perceived as being elegant and beautiful and signs of a progressive less polluted future.
- This view was not supported by those present.
- Invenenergy also used a 2009 report that found no consistent measurable or significant effect on the selling prices of homes located within 10 miles of wind facilities.
- The Chair stated that very biased report was funded by and for the Dept. of Energy that also funds and promotes wind turbine projects.
- McKernan reported that he was told they are required to accept late comments and the fax number that was given had been wrong so they should take that into consideration.

**C. New \$29 Million Boulevard Border Patrol Station:**

- No one had any new updates. It was suggested that we should request Corey Anderson to provide reports since he knows about the project.

**D. Enel's 158 MW Jewel Valley Wind & 10 MW Solar:**

- Jenifer Purczynski made the Planning Commission presentation for Enel.
- The Planning Commission approved the 3 administrative permits after denying the appeals by this group and others.
- The commissioners said that they did not have a choice because it was a collection of information only, but they indicated that it would not be so easy for Enel to get the MUP approval. because they were not eager to industrialize the backcountry.
- The Commission chairman made a comment to Bob Maupin that you folks have made very compelling arguments for not ruining the rest of the back country out there.
- Jennifer also made a presentation for Enel at the Campo Community Group.
- Donna reported that she was allowed to discuss our community's concerns and objections and to show the maps and how close the project was to existing homes.
- She said the Campo Group seemed shocked at the size of the project and others, and that our concerns were well received.

**E. SDG&E's \$2 Billion Sunrise Powerlink:**

- Eco-Substation-no new update other than comments from 6A.

**F. Iberdrola's \$500 Million Tule Wind:**

- The final EIR/EIS was expected to be released in July but that may not be released until August as per Harley.

**G. Sempre's Energia Sierra Juarez Wind & Cross Border Gen-Tie Line:**

- Mr. Durckel was asked if there any movement on Sempra's end?
- He said he did not have any information on that.

**H. SDG&E's \$285 Million Eco Sub Station:**

**I. Rough Acres Ranch- 3 Pending Major Use Permit Applications: See comments from 5B.**

**J. Boulevard/Jacumba/La Posta Fire Safe Council:**

- The guest speaker was Marilyn Huntamer from Farmers Insurance. She is also on The Fire Safe Executive Board for San Diego. She said that San Diego is rated on a scale of 1-10 , with San Diego's lowest level at 3. Jacumba and Boulevard are 9. The biggest problem with this area is the border fires and that's why rates are so high.
- One resident reported having trouble getting insurance and that Sunrise Powerlink was given as one reason.
- Another local reported insurance going from \$600 to \$2,000 after 2003-2007 firestorms.
- Huntamer was asked if she would look over a map of all the proposed energy / transmission projects and let us know about related rate increases.
- If you have a fire dept. within 6 miles of your home you are insurable. If our fire departments don't have a 24/7 staff, we can't get insured.
- She also said that they won the class action lawsuit against SDG&E –they got \$.95 on the dollar. You need to be cleared more than 100 feet. You need carbon monoxide alarms in your home now.
- **Boulevard/Jacumba/La Posta Fire Safe Council had their one year anniversary and has won 4 awards with the Fire Safe Council! This was done without any money and the next council that won awards did it with grants of \$125k.**
- They are going to have a community chipping (SDG&E) July 13<sup>th</sup> – please sign up and bring up to the location no bigger than 6" round and need volunteers. It does shred it and will get rid of the beetles. If you want chips you can pick up chips.
- Next meeting is July 25, 2011 at 6:30 and guest speaker will be from Border Patrol.

**K. Revitalization:**

- New Community Calendar – A sign-up sheet was provided for those who wish to receive the calendar electronically and let Tammy know about new events.
- They have a new website [www.gosandiegobackcountry.org](http://www.gosandiegobackcountry.org) and will be up in August- It will show maps of the area, visitor's points of interest and they are trying to get local artists and businesses involved.
- Volunteer Fair on October 1<sup>st</sup> 2011 from 10-4pm at the Jacumba Park. It will have many opportunities for people to sign up for volunteer opportunities in their communities as well as all the public service things available.
- Next meeting October 2<sup>nd</sup> at the Jacumba Library at 6:30 all are invited.

**7. Presentation From the Floor on Non-Agenda Items:**

- Questions were asked about the grading that is going on in the I-8 median at the Kitchen Creek Exit? (Call Cal Trans)
- New property owner, Daniel Erez wanted to discuss their Animal Rescue Project on the 4C Ranch off Ribbonwood Road next to the new Border Patrol Station project. They are not sure of the process and just found out that in order to rescue more dogs they need a kennel license and that a MUP will cost \$12k. The Chair explained that previous kennel issues included potential ground water contamination from the waste, and actual noise issues from the barking that were heard 5-6 miles away. The Chair informed the owners that we could not make decisions when we do not have a plan before us, such as how many dogs,

on-site housing, waste disposal, and noise issues. She suggested that he try to approach his new neighbors first and get their comments/letters of support as we are a board that represents the community's interests and concerns. The owner responded to questions saying he currently has 7 dogs in his Mission Valley condo, and he wants to expand to Boulevard and train dogs to be therapy dogs, for veterans, and trained not to bark. He also mentioned therapy horses.

- Jeff McKernan reported speaking with the USFWS raptor ecologist who was doing a study in Montana where one wind farm has had 27 eagle kills. The study that came out shows 50-100 per year. The study will be released within the next 4 months on avian mortality rates for wind farms across the country. The USFWS rep reportedly stated that it is devastation to the population. Based on the time that it takes an eagle to mature (5 years) and reproduce, they cannot keep up with the damage that is being done. Jeff said he planned to do a Freedom of Information Act request to get the first year post-construction mortality rate from the Campo Kumeyaay turbines as an individual and will share the information. He stated that wind companies have these studies and choose not to share them. He reported that Campo Chair La Chappa told him there were only 5 raptor mortalities in the first year of Kumeyaay Wind operation. By his count that equated to one kill for every 5 turbines. Multiply that by the proposed 400 turbines and the effect is devastating to our populations. Eagles have a reported 14 miles radius on a hunt.

**8. Adjournment: 9:57 PM**

**Minutes submitted by Audra Hall, Secretary:** \_\_\_\_\_

**Approved by group on :** \_\_\_\_\_

For more information, contact Donna Tisdale, Chair, 619-766-4170; [donnatisdale@hughes.net](mailto:donnatisdale@hughes.net); P.O. Box 1272, Boulevard, CA 91905